

REMARKS

Election/Restriction Requirements:

Claims 1-31 are currently pending in this application. In response to the restriction requirement of March 11, 2003, the Applicant provisionally elects, with traverse, the electron emission device claimed in claims 1-8.

The Applicant respectfully traverses the restriction requirement for the following reasons. Examination of at least the process claims 9-14 in the same application would not pose a serious burden under M.P.E.P. § 806.05(f) because the alternative processes mentioned for making the invention are not materially different. Claims 9-14 teach a process for fabrication of an electron emission device by forming a Schottky metal-semiconductor junction through an aperture. The alternative process disclosed in the Detailed Description only differs from the claimed process in the order of the processing steps. Fundamentally, the processes are the same. Additionally, examination of the apparatus claims 15-31 in the same application would not pose a serious burden under M.P.E.P. § 806.04(b) and M.P.E.P. § 806.04(h) because flat panel displays, electron beam accelerators, and other electron emitter devices are obvious variants of the claimed storage apparatus.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1-31 are in condition for allowance. Therefore, Applicant requests that the restriction be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Bryan Hanks at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 11th day of Apr, 2003.

Respectfully submitted,



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